

Message Text

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ORIGIN OES-06

INFO OCT-01 EA-07 ISO-00 ACDA-07 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 COME-00 DLOS-09 DODE-00
DOTE-00 EB-08 EPA-01 ERDA-05 FEAE-00 FMC-01
TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00 L-03
NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-04 PRS-01
SP-02 SS-15 USIA-06 EUR-12 /129 R

DRAFTED BY OES/OFA/FA:JCPRICE:CMC
APPROVED BY OES/OFA/FA:ALZUCCA
OES/OFA/FA - LNSCHOWENGERDT
-----181955Z 127071 /46

P 181829Z APR 77
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO PRIORITY
INFO AMEMBASSY SEOUL PRIORITY
AMEMBASSY TAIPEI PRIORITY

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E.O. 11652: N/A

TAGS: EFIS, JA, KS, TW

SUBJECT: POLLOCK FISHERY WITHIN U.S. FISHERY CONSERVATION
ZONE

REF: TOKYO 4463

1. IN ORDER TO AVOID POSSIBLE CONFUSION, FOLLOWING IS
ENTIRE TEXT OF MEACHAM LETTER AND ZUCCA RESPONSE:

BEGIN TEXT: DEAR AMBASSADOR RIDGWAY: THE STATE OF ALASKA
HAS RECEIVED A NUMBER OF INQUIRIES FROM ASIAN COUNTRIES
AS WELL AS FROM MEMBERS OF THE EUROPEAN ECONOMIC COMMUNITY
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REGARDING THE PURCHASE OF FISHERIES PRODUCTS FROM
AMERICAN FISHERMEN ON THE HIGH SEAS, OUTSIDE THE
TERRITORIAL UATERS OF THE UNITED STATES, BUT WITHIN THE
FISHERY CONSERVATION ZONE.

WE HAVE BEEN ADVISED INFORMALLY BY THE BUREAU OF CUSTOMS
THAT SINCE THE AMERICAN FISHERMEN INVOLVED IN THIS TRANS-

ACTION WOULD NOT BE ENTERING FOREIGN TERRITORIAL WATERS

FOR THAT PURPOSE, THERE WOULD BE NO OBJECTION FROM THE
STANDPOINT OF THE BUREAU TO THESE ARRANGEMENTS.

THE NATIONAL MARINE FISHERIES SERVICE HAS ALSO GIVEN US
INFORMAL ADVICE TO THE EFFECT THAT THIS TRANSACTION
OULD

NOT BE PROHIBITED UNDER THE PROVISIONS OF THE FISHERY
CONSERVATION AND MANAGEMENT ACT OF 1976, P.L. 94-265,
BECAUSE THE FOREIGN INVOLVEMENT WOULD NOT OCCUR UNTIL
AFTER THE FISH HAD BEEN CAPTURED AND REDUCED TO PERSONAL
PROPERTY.

NOTWITHSTANDING THESE ASSURANCES, THERE ARE TWO QUES-
TIONS WHICH WE WOULD LIKE TO ADDRESS TO THE STATE DEPART-
MENT. THE FIRST OF THESE QUESTIONS IS WHETHER THE
DEPARTMENT WOULD HAVE ANY OBJECTION TO THIS TYPE OF
TRANSACTION?

THE SECOND QUESTION WAS RAISED IN THE FOREIGN INQUIRY TO
THE STATE OF ALASKA. THIS IS WHETHER ANY FISH SO CAUGHT
AND SOLD WOULD BE COUNTED AGAINST THE COUNTRY ALLOCATION
OF THE FOREIGN NATIONALS INVOLVED IN THE TRANSACTION?

YOUR EARLY CONSIDERATION OF THESE QUESTIONS WILL BE
APPRECIATED, SINCE THE STATE OF ALASKA VIEWS THIS
PROPOSAL AS CONSISTENT WITH ONE OF THE BASIC PURPOSES
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OF THE ACT, WHICH IS TO "...ENCOURAGE THE DEVELOPMENT OF
FISHERIES WHICH ARE CURRENTLY UNDER-UTILIZED OR NOT
UTILIZED BY UNITED STATES FISHERMEN, INCLUDING BOTTOM
FISH OFF ALASKA.

IF MORE INFORMATION IS REQUIRED, PLEASE CONTACT THE
UNDERSIGNED.

SINCERELY, (SIGNED) CHARLES H. MEACHAM, DIRECTOR, INTER-
NATIONAL FISHERIES AND EXTERNAL AFFAIRS. END TEXT.

BEGIN TEXT: DEAR MR. MEACHAM: THIS IS IN REPLY TO YOUR
LETTER OF FEBRUARY 25 TO AMBASSADOR RIDGWAY, IN WHICH
YOU HAVE ASKED TWO QUESTIONS RELATING TO THE POSSIBLE
PURCHASE OF FISHERY PRODUCTS FROM AMERICAN FISHERMEN WITH-
IN THE U.S. FISHERY CONSERVATION ZONE.

THE DEPARTMENT HAS NO OBJECTION TO THE GENERAL TYPE OF
TRANSACTION WHICH YOU HAVE OUTLINED. ADDITIONALLY,

IT IS OUR VIEW THAT FISH CAUGHT BY U.S. FISHERMEN WITHIN
THE U.S. FISHERY CONSERVATION ZONE, SOLD TO FOREIGN
NATIONALS, NOT BE COUNTED AGAINST ANY QUOTAS WHICH MAY
HAVE BEEN ALLOCATED BY THE UNITED STATES TO THE GOVERN-
MENT OF THE FOREIGN NATIONALS INVOLVED IN THE TRANSACTION.

WE HOPE THAT THIS RESPONSE WILL PROVE HELPFUL.

SINCERELY, (SIGNED) ALBERT L. ZUCCA, DIRECTOR, OFFICE OF
FISHERIES AFFAIRS.

2. POST SHOULD NOTE THAT FACTORY SHIP ENTERING U.S.
FISHERY CONSERVATION ZONE WOULD STILL BE REQUIRED TO
CARRY APPROPRIATE PERMIT. IN ADDITION, CERTAIN U.S.
CUSTOMS OR RELATED REGULATIONS MIGHT ALSO APPLY TO ACTUAL
SALE OF FISH TO KOREANS AND TRANSFER TO ROK PROCESSING
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VESSEL. ANSWER TO LATTER QUESTION SHOULD BE SOUGHT BY
DIRECT APPROACH TO CONCERNED AGENCIES.
VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FISHERIES, TEXT, FISHING AGREEMENTS
Control Number: n/a
Copy: SINGLE
Sent Date: 18-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE086522
Document Source: CORE
Document Unique ID: 00
Drafter: JCPRICE:CMC
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770134-0542
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770446/aaaabntj.tel
Line Count: 142
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 03683aa3-c288-dd11-92da-001cc4696bcc
Office: ORIGIN OES
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 TOKYO 4463
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 15-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2773668
Secure: OPEN
Status: NATIVE
Subject: POLLOCK FISHERY WITHIN U.S. FISHERY CONSERVATION ZONE
TAGS: EFIS, JA, KS, TW
To: TOKYO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/03683aa3-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009